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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,459	06/14/1999	JUSTIN B. MAGARAM	1800	2958

7590 02/01/2005

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EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/332,459

Applicant(s)

MAGARAM ET AL.

Examiner

Nga B. Nguyen

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-28 and 31-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on October 1, 2004, which paper has been placed of record in the file.
2. Claims 1, 3-9, 11-28, and 31-37 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1, 3-9, 11-28, and 31-37 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-9, 11-28, and 31-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Moran, U.S. Patent No. 6,430,542.

Regarding to claim 1, Moran discloses a computer-readable medium having computer-executable instructions, comprising:

receiving input of a value corresponding to a first field of a first object that maintains plan data (column 16, lines 25-35; the client's date of death);

receiving additional input corresponding to a second field of a second object that maintains plan data (column 20, lines 20-40; monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses, etc.);

receiving input that defines a hierarchical relationship between the first and second objects such that a value in the second field is at least partially based on the first field as a result of the hierarchical relationship (column 10, lines 47-60; the estate plan does need to know the date of death so that it can settle the estate as of the new date, thus, the date of death is the target object, the new date of settlement the estate is the dependent object depends on the date of death);

developing a plan by running a simulation on objects including the first and second objects (column 21, lines 62-column 23, lines 55);

receiving input of a new value for the first field, and developing a new plan by running a simulation on objects that maintain the plan data, including the first and second objects, in which in the new plan, the new value changes the information in the second field (column 16, lines 25-35; changing the client's date of death, running new simulation, monthly living expenses, or income tax rates, or investment risk tolerance, or household's income, or expenses will be changed).

Regarding to claims 3-8, Moran discloses the plan is a financial plan; the first field represents a date and the second field represents a date based on the first field (column 10, lines 47-60; the date of death and the date of settlement the estate); the first field represents an amount the second field represents a date conditional on the amount represented in the first field (column 20, lines 20-40; e.g. the monthly living

expenses and the date of death); the first field represents a rate and the second field represents a date conditional on the rate represented in the first field (column 20, lines 20-40; e.g. the income tax rates and the date of death).

Regarding to claim 9, Moran further discloses receiving input corresponding to an adjustment value related to the second field (column 20, lines 32-36; adjusting the household's income, expenses, cash flow occur upon Melanie's death)

Regarding to claim 11, Moran further discloses associating a plurality of objects in a package object (column 15, lines 1-67; objects are arranged in groups or categories).

Regarding to claims 12-14, Moran further discloses disabling at least one plan element, enabling at least one plan element, and developing a plan by running a simulation includes arranging a list of plan elements that includes enabled elements and excludes disabled elements are (e.g. figure 24, in "PAID AT DEATH" field, disabling or enabling "CRAIG" and "MELANIE").

Regarding to claim 15, Moran further discloses developing a plan by running a simulation includes removing expired elements from the list (column 20, lines 35-40; exclude other goals a household may have prior to Melanie's death).

Regarding to claim 16, Moran further discloses receiving input information includes providing a user interface (column 10, lines 60-65; the User Interface 230).

Regarding to claim 17, Moran further discloses input information includes synchronizing plan elements with data from another program includes synchronizing

only the plan elements that have been previously identified for synchronization (column 6, line 50-column 7, line 10; importing or exporting files).

Claims 18-20, 34-36 contain similar limitations founds in claims 1, 12-14, 16, 17, discussed above, therefore, are rejected by the same rationale.

Claims 21-23, 26, 27, 31, 32 contain similar limitations founds in claims 1, 3, 4, 7, 8, 12-14, discussed above, therefore, are rejected by the same rationale.

Claims 24, 25, 28, 33, 37 contain similar limitations founds in claims 5, 6, 9, 17, 34, discussed above, therefore, are rejected by the same rationale.

Conclusion

6. Claims **1, 3-9, 11-28, and 31-37** are rejected.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on (703) 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.

8. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks
c/o Technology Center 3600
Washington, D.C. 20231

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or faxed to:

(703) 872-9326, (for formal communications intended for entry)

or:


(703) 308-3961 (for informal or draft communications, please

label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, Seventh Floor (Receptionist).

Nga B. Nguyen



January 6, 2005